

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SCHINDLER ELEVATOR CORPORATION, :
-----X

Plaintiff, :
: 08 Civ. 11202 (VM)

- against - :
: ORDER

OTIS ELEVATOR COMPANY, :
:

Defendant. :
-----X

VICTOR MARRERO, United States District Judge.

In considering the Complaint filed by plaintiff Schindler Elevator Corporation ("Schindler") in this matter and the memorandum in support of the motion to transfer filed by defendant Otis Elevator Company ("Otis"), and having held a telephonic conference with counsel for Schindler and Otis on January 27, 2009, the Court is persuaded that this action should be transferred to the District of New Jersey pursuant to 28 U.S.C. § 1404(a). In weighing the relevant factors, see Wechsler v. Macke Int'l Trade, Inc., 1999 WL 1261251, at *3 (S.D.N.Y. Dec. 27, 1999), the Court concludes that transfer is warranted here in the interests and convenience of the parties and witnesses and the efficient administration of justice. The Court finds that the locus of operative facts relevant to this action is in New Jersey, and that none of the likely witnesses are located in New York while several are located in the District of New Jersey. The remaining factors either

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weigh strongly in Otis's favor or are neutral. Accordingly,
it is hereby

ORDERED that in the interests of justice, the maximum convenience to the parties and witnesses, and of the efficient administration of justice, the Clerk of Court is directed to transfer this case to the District of New Jersey pursuant to 28 U.S.C. § 1404(a).

SO ORDERED.

DATED: New York, New York
27 January 2009



Victor Marrero
U.S.D.J.